Mr. Gary L. Stoops, Security Programs Manager 8/14/90
Information Management Division
FBI
Washington, D.C. 20535

Dear Mr. Stoops,

I presume that there is some reason not immediately apparent for the FBI to be responding to a complaint I made about the FBI to the DOJ Office of Professional Responsibility after its head wrote me that he was investigating my complaint. You do not say that you are writing me for Mr. Shaheen. Should I assume that you did? At his request?

You say that my rights under the Privacy Act were not violated by the FBI because then Deputy Attorney General Tyler ordered that there be the fullest possible disclosure of Rosenberg case records to their sons and the records relating to me, in the Silvermaster case file, are Rosenberg case records.

Superficially, this seems like a reasonable explanation, if the DAG ordered it and the judge approved. Even if the language you quote and I quote in part specifies an exception, "only that information which has nothing to do with the Rosenberg investigation..." as I certainly didn't.

It happens that I was before the Meeropol judge at the same time, my C.A. 75-1996, for records relating to the investigation of the assassination of Dr. Martin Luther King, Jr. It also happens that a similar order was issued by the Department in that case, only not by the Deputy but by the Attorney General himself. And I don t think I have ever seen any FBI processing in which there was as much withholding of non-defamatory information and of people who had very much to do with the King investigation.

Thus it seems that when the FBI investigates itself for the abdicated Department it exculpates itself no matter what.

Do you have any idea of the enormous amount of time you people wasted for the court, for my attorney and the Departments attorneys and for me by its wholesale violation of the AG's directive while it was so carefully abiding by the directive of his subordinate? This is course, is a rhetorical question beaause I've known for years that wasting the time of requesters of information that could be embarrassing to the FBI was an FBI speciality diligence in which led to promotions. I've also know for years that the FBI has special liking for disclosing what might be embarrassing to those it does not like.

A similar directive was issued by the then Attorney General with regard to the JFK assassination records and the FBI's disclosed pages look very often like the end product of many hungry mice turned loose in Swiss cheese.

But the Meeropol case is different - in that the FBI came across names of those it doesn't like so for once it obeyed instructions to it.

As I might also expect from the FBI when it investigates itself, you make only partial response and pretend full response. The covering sheets on those records as sent to me identifies me, not the Rosenbergs, as the subject of the FOIA request. It has now been about two years, maybe less, since I filed a simple FOIA request seeking information about that request, without any compliance, and I'm told this is longer than your backlog on such requests. As the file you should have read before whitewashing yourself makes clear, the first of my many requests for all information on or about me was made in 1975. I renewed the requests and appeals and in all those years the FBI could not find what it has disclosed about me to another and send it to me? Do you special agents need boy scouts to lead you across Pennsylvania Avenue?

Did your investigation of this matter not include your own file on it?

These are not the only records relating to me existence of which I've established by the FBI's own records that it just continues to withhold even though they should have been identified on the very first searches. In a number of instances I've sent the FBI copies of these records identifying others.

At the same time I made similar allegations about Mayne case records only partially disclosed at the same time, again not in response to my request when they should have been provided to me 15 years ago. Such minor things as violations of the law, especially one neither the FBI nor the Department likes are, of course, unworthy of the attention of the Office of Professional Responsibility.

You ignore it also.

The partial disclosure in the Mayne case can be defamatory, as I've alleged and you also ignore.

I've been aware of the official whitewashing for years but in this instance I want to leave a clear record where your letter is ambiguous. You mention a number of things that have been referred to you at the beginning but do not make it explicit that the referrals were by those you named. Did the appeals office delegate you to respond to appeals made to it of denials of information requested of the FBI? (Not that it did not do this before.) Did Mr. Shaheen ask you to do his job for him, delegate the responsibility for the investigation of a possible criminal violation by the FBI to the FBI? If so what in the world is his function other than to manufacture or smear the whitewash?

I find your letter inadequate, yeasive and ~~inadequate~~. unsatisfactory.

And, of course, the FBI writes its own history when it engages in wholesale withholding of information relating to the Kennedy and King assassinations after the attorneys general hold them to be of great historical importance and requiring maximum possible disclosure and follows the exact opposite procedure in the Meeropol case.

Sincerely,

Harold Weisberg